

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 41 through 86, all newly-presented, are pending, with Claims 41, 60, 66, and 76 being independent.

The Official Action set forth a restriction requirement between: (I) cancelled Claims 20 through 40; and (II) Claims 41 through 86, which were said to be drawn to a driver. The Official Action withdrew Claims 41 through 86 from consideration via constructive election under MPEP 821.03. The restriction requirement and withdrawal are respectfully traversed.

In this regard, Applicant gratefully wishes to acknowledge the courtesies extended by the Examiner during telephonic discussions with Applicant's representative on October 15, 2003, and October 17, 2003. During the discussions, Applicant's representative and the Examiner discussed how Applicant might obtain consideration of the withdrawn claims. Applicant understands from the discussions that the Examiner is agreeable to examine the withdrawn claims upon the filing of a Request for Continued Examination. However, as discussed, according to the MPEP such a paper can be filed only when prosecution is closed, e.g., a final action. MPEP 706.07(h). Accordingly, Applicant has deferred filing a Request for Continued Examination at this time.

In the interim, Applicant respectfully traverses the restriction requirement, and requests reconsideration and withdrawal of the same. Applicant requests that the claims of Group II (Claims 41 through 86) be examined on the merits. Applicant respectfully notes that several of the claims, e.g., Claim 76,

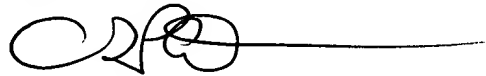
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Attorney Docket No.: PD-N94026G
Customer No.: 020991

recite an "apparatus" rather than a driver per se. Applicant submits that all of the claims could be searched by one Examiner without undue effort. Applicant also believes that it is not mandatory to make a restriction requirement in every possible situation. Applicant believes that if one Examiner acts on all of the claims of the present application, overall examining time will be less than if multiple Examiners are involved. Applicant also earnestly believes that the examination of all of the claims by one Examiner in the present application will best ensure uniform prosecution quality. Therefore, in the interest of prosecution economy of time and quality for both the Office and Applicants, Applicant respectfully submits that withdrawal of the restriction requirement in this application is appropriate.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached at (301) 601-7252. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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